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Insights: Legal Alerts

Government Solicits Comment on Review of USMCA and Removing GHG Emissions Reporting

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USTR Request for Public Comment on the United States-Mexico-Canada Agreement (USMCA)

On September 16, 2025, the Office of the United States Trade Representative (USTR) announced the opening of a public consultation process, and published a Request for Comment, in advance of the first Joint Review of the United States-Mexico-Canada Agreement (USMCA), scheduled for July 1, 2026. In line with congressional directives, USTR is seeking public comments on the operation of the Agreement as well as on the activities of the North American Competitiveness Committee, which is charged with supporting a strong economic environment and incentivizing North American production.

The Joint Review requires the U.S., Mexico, and Canada to meet on the sixth anniversary of the Agreement's entry (the USMCA entered into force in July 1, 2020) to evaluate its operation, consider recommendations for action, and decide on future steps, including whether to extend the Agreement for another 16-year term. Any Party wishing to propose actions must submit recommendations at least one month before the July 2026 meeting.

The USTR is inviting comments on any aspect of the USMCA's implementation and effectiveness, and in particular,

- Any issues of compliance with the Agreement.
- Recommendations for specific actions that USTR should propose ahead of the Joint Review to promote balanced trade, new market access, and alignment on economic security with Mexico and Canada.
- Factors affecting the investment climate in North America and in the territories of each Party, as well as the effectiveness of the USMCA in promoting investment that strengthens U.S. competitiveness, productivity, and technological leadership.
- Strategies for strengthening North American economic security and competitiveness, including collaborative work under the Competitiveness Committee, and cooperation on issues related to non-market policies and practices of other countries.

Written comments are due by November 3, 2025. A public hearing will be held on November 17, 2025, at the U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. The Request for Comment specifically notes that "small businesses are especially encouraged to self-identify in their submissions to ensure their perspectives are considered."

DC Insights and What Companies Can Do

The Administration and relevant federal agencies as well as Congress continue to focus on global trade, especially as it relates to tariffs, competitiveness, domestic manufacturing, and supply chain security. The upcoming USMCA Joint Review presents a rare and significant opportunity for stakeholders to weigh in on the Agreement's operation and the future direction of North American trade policy. We encourage all companies and organizations affected by the USMCA, or by broader North American trade and investment issues, to submit comments, participate in the hearing process, and engage with USTR and other relevant officials.

EPA Proposed Rule: Reconsideration of the Greenhouse Gas Reporting Program

On September 12, 2025, the EPA published a new Proposed Rule titled Reconsideration of the Greenhouse Gas Reporting Program. The Proposed Rule states that the EPA is "proposing to amend the Greenhouse Gas Reporting Program (GHGRP) to remove program obligations for most source categories, including the distribution segment of the petroleum and natural gas systems source category (subpart W–Petroleum and Natural Gas Systems), and to suspend program obligations for the remaining subpart W segments until reporting year 2034."

The GHGRP requires about 8,000 facilities to report on their emissions annually. Implementation of the Proposed Rule is estimated to save affected facilities "between $2.0 billion and $2.4 billion" in related reporting costs. That said, if the Proposed Rule is implemented as drafted, this lack of reporting will impact GHG data collection and potentially related sectors and markets.

This Proposed Rule is the most recent in the Administration's efforts to deregulate GHG standards and reporting. For example, on August 1, 2025, the EPA published a related Proposed Rule titled Reconsideration of the 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards, which would repeal the federal government's 2009 GHG endangerment finding.

The EPA is soliciting comments on the Proposed Rule: Reconsideration of the Greenhouse Gas Reporting Program. Comments must be received on or before November 3, 2025. The comment period for the Proposed Rule: Reconsideration of the 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards ends September 22, 2025.

DC Insights and What Companies Can Do

Deregulation continues to be a focus of the Administration as well as support for fast-tracking infrastructure, manufacturing, and construction projects (including impacted environmental requirements). As noted, this Proposed Rule is just the most recent in a larger effort of the Administration, and federal agencies, to reduce GHG regulations and limit its impact across sectors.

Companies impacted by these Proposed Rules, and the broader effects of the Administration's efforts concerning GHG emissions deregulation, should submit comments and take action to engage with relevant federal agency and Administration officials, as well as Congress.

Kilpatrick's Federal Government Relations & Regulatory Practice

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For more information on these and other critical matters, or to discuss strategies for navigating and influencing federal government actions impacting your business, please reach out to Stephen Anstey at sanstey@ktslaw.com or John Loving at jloving@ktslaw.com, or visit us at: Kilpatrick – Government & Regulatory, Kilpatrick – Government Relations.

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